

## **REMARKS/ARGUMENTS**

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith. The present Amendment is being made to facilitate prosecution of the application.

### **I. STATUS OF THE CLAIMS AND FORMAL MATTERS**

Claims 1, 4, 5, and 8-10 are pending in this application. Claims 1, 5, 8 and 10 are independent. Claims 1 and 5 have been amended. Claims 9 and 10 are new. Claims 2, 3, 6, and 7 have been canceled without prejudice or disclaimer of subject matter.

Support for this amendment is provided throughout the Specification as originally filed, and specifically in previous claims 2, 3, 6, and 7. It is submitted that these claims, as originally presented, were in full compliance with the requirements 35 U.S.C. §112. No new matter has been introduced by this amendment. Changes to the claims are not statements with respect to patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112 beyond the remarks herein. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

### **III. REJECTIONS UNDER 35 U.S.C. § 103(a)**

Claims 1-8 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over European Patent Application 0 865 192 A2 to Yamakita (hereinafter, merely "Yamakita") in view of U.S. Patent No. 6,092,114 to Shaffer, et al. (hereinafter, merely "Shaffer") and further in view of U.S. Publication No. 2006/0143307 to Codignotto (hereinafter, merely "Codignotto")

and further in view of U.S. Patent No. 6,571,236 to Anderson, et al. (hereinafter, merely "Anderson").

Claim 1 recites, *inter alia*:

"...wherein a user specific custom tag and a unique processing command are **predetermined by an agreement** between the transmitting electronic device and the relay server,

wherein adding the user specific custom tag allows editing of the attached obtained original data which is unique to a user's request, and

wherein content of the user specific tag is predetermined between the transmitting electronic device and the relay server by exchanging information in advance of adding the user specific custom tag,

**wherein said electronic devices comprise an image pick-up device for capturing still image data as the obtained original data;**

**wherein the processing command comprises an editing command for editing the still image data."** (Emphasis Added)

Applicants submit that Yamakita, Shaffer, Codignotto and Mullaly, taken alone or in combination, fail to suggest or render predictable the above-identified features of Claim 1.

Therefore, independent claim 1 is patentable.

For reasons similar to those described above, independent claims 5, 9, and 10 are also believed to be patentable.

#### IV. DEPENDENT CLAIMS

The other claims are each dependent from one of the independent claims discussed above and are therefore believed patentable for at least the above-identified reasons.

Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

### **CONCLUSION**

Because Applicants maintain that all claims are allowable for at least the reasons presented hereinabove, in the interests of brevity, this response does not comment on each and every comment made by the Examiner in the Office Action. This should not be taken as acquiescence of the substance of those comments, and Applicants reserve the right to address such comments.

In the event the Examiner disagrees with any of the statements appearing above with respect to the disclosures in the cited references, it is respectfully requested that the Examiner specifically indicate the portion, or portions, of the reference, or references, providing the basis for a contrary view.

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicant respectfully requests early passage to issue of the present application.

Please charge any fees that may be needed, and credit any overpayment, to our

Deposit Account No. 50-0320.

Respectfully submitted,

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